

## REMARKS

In an Office Action mailed July 20, 2006, the Examiner in charge of the above-noted application imposed a requirement for restriction dividing the claims into four groups, which in the Examiner's opinion are not related.

In response, applicants provisionally elect Group III drawn to Claims 8 and 9. This election is made with traverse and without prejudice to the eventual filing of a divisional application and rejoinder of the non-elected method claims of Group IV into the application, once the cell culture claims are found allowable.

Applicants submit that the restriction is traversed on the grounds that the subject matter of Groups I-IV are inextricably linked. In particular, the claims of Groups I-IV are related as a process of culturing human embryonic stem (ES) cell, medium used in the culturing process and the human ES cell culture made using the process. Applicants believe that a proper search for one group of claims would inevitably overlap with that for the others and the search results for one is relevant to the others. Applicants do not believe that a burden exists for searching more than one of the patentably related groups.

Also, in regard to Group III, applicants amend Claim 8 to clarify the elements of the cell culture claim. Claim 12 is added dependent therefrom. Claims 8, 9 and 12 read on the elected group. No new matter is added by this amendment.

For these reasons, applicants respectfully request that the restriction requirement on Groups I-IV be reconsidered and withdrawn. Wherefore examination on the merits is respectfully requested.

No extension of time is believed due, but should any extension be due, in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the extension fee to Deposit Account No. 17-0055. No additional fees are believed due; however, if any fees are due, in this or any subsequent response, please charge Deposit Account 17-0055.

Respectfully submitted,



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